



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/664,128	09/17/2003	Daniel A. Martinez	DP-310000	3467
22851	7590	11/30/2004	EXAMINER	
DELPHI TECHNOLOGIES, INC.			EDELL, JOSEPH F	
M/C 480-410-202			ART UNIT	PAPER NUMBER
PO BOX 5052			3636	
TROY, MI 48007				

DATE MAILED: 11/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/664,128	MARTINEZ ET AL.	
	Examiner	Art Unit	
	Joseph F Edell	3636	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 17 September 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) 11 and 16-26 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 12-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>09/17/03&amp;02/04/04</u>   | 6) <input type="checkbox"/> Other: _____                                    |

---

**DETAILED ACTION**

---

***Election/Restrictions***

1. Applicant's election of Species I in the reply filed on 17 September 2004 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

***Claim Objections***

2. Claims 1 and 13 are objected to because of the following informalities:
  - a. claim 1, line 3, "the universal anchor" should read --the anchor--;
  - b. claim 13, line 3, " the universal anchor" should read --the anchor--;
  - c. claim 13, line 4, "it" should read --the movable member--.Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
  4. Claims 6-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
-

---

Claim 6 recites the limitation "said magnet" in lines 2-3. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1, 2, 4-6, 9, 10, and 12-15, as best understood, are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,690,356 to Lane, Jr.

Lane, Jr. discloses a detection device that includes all the limitations recited in claims 1, 2, 4-6, 9, 10, and 12-15, as best understood. Lane, Jr. shows a detection device having a housing (Fig. 2), a moveable member 82 (Fig. 2) slidably received within the housing and including a slide portion and an actuating end, a sensing switch 80 (Fig. 2) to detect the movement of the movable member and providing a detectable signal when the movable member is moved that is received by a controller of an airbag module (see column 2, lines 49-53), and a Hall effect device of the sensing switch (see column 2, lines 47-49) wherein the housing is capable of being fixedly secured to a universal anchor and the movable member is biased into a first position blocking an opening of the anchor. The description of the detection device inherently discloses the method for determining whether a securement member is secured to a universal anchor.

---

---

7. ~~Claims 1-10 and 12-15, as best understood, are rejected under 35 U.S.C. 102(b)~~  
as being anticipated by U.S. Patent No. 6,419,199 B1 to Skofljanec et al.

Skofljanec et al. disclose a detection device that includes all the limitations recited in claims 1-10 and 12-15, as best understood. Skofljanec et al. show a detection device having a housing 11,31 (Fig. 5a), a moveable member 13 (Fig. 5b) slidably received within the housing and including a slide portion with a magnet 21 (Fig. 3a) and an actuating end, a sensing switch 17 (Fig. 3a) to detect the movement of the movable member and providing a detectable signal when the movable member is moved that is received by a controller of an airbag module, and a Hall effect device 19 (Fig. 3a) of the sensing switch wherein the housing is capable of being fixedly secured to a universal anchor and the movable member is biased into a first position blocking an opening of the anchor. The description of the detection device inherently discloses the method for determining whether a securement member is secured to a universal anchor.

### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents are cited to further show the state of the art with respect to detection devices:

U.S. Pat. No. 5,851,025 to Gamboa

U.S. Pat. No. 5,898,366 to Brown et al.

U.S. Pat. No. 5,960,523 to Husby et al.

---

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph F. Edell whose telephone number is (703) 605-1216. The examiner can normally be reached on Mon.-Fri. 8:30am-5:00pm.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JE  
November 19, 2004

  
Peter M. Cuomo  
Supervisory Patent Examiner  
Technology Center 3600